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UNITED STATES DISTRICT COURT

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FOR THE EASTERN DISTRICT OF CALIFORNIA

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MICHAEL ASBERRY,

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Plaintiff,

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v.

NO. CIV. S-04-2467 LKK/PAN

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CITY OF SACRAMENTO,

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Defendant.

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The court is in receipt of plaintiff's ex parte application to extend the discovery cut-off date of September 1, 2005. Good cause appearing, the court hereby extends the discovery cut-off date for the sole purpose of allowing the magistrate judge to hear plaintiff's motion for a protective order to establish a reasonable expert fee.¹

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IT IS SO ORDERED.

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DATED: September 7, 2005.

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/s/Lawrence K. Karlton

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LAWRENCE K. KARLTON

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SENIOR JUDGE

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UNITED STATES DISTRICT COURT

¹ Plaintiff explains to the court that the motion is currently scheduled to be heard on September 21, 2005.